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SUBJECT: CIA Legislative Proposals - 85th Congress

2. The following two proposed amendments to the Immigration and Nationality Act were submitted to the Legislative Counsel by memorandum dated 3 May 1956 from the General Counsel and were concurred in by the Director of Security and the Deputy Director (Plans).

a. Sections 316(b) and 316(c) of the Immigration and Nationality Act in effect provide that continuity of residence is broken by absence from the United States for more than one year except for those people who have been lawfully admitted for permanent residence and have resided in the United States for an uninterrupted period of at least one year and who thereafter are employed by or under contract with the Government of the United States. The Agency has been granted a specific exception in that the uninterrupted period of at least one year of physical presence in the United States may be complied with by the person employed by or under contract with the Agency at any time prior to filing the petition for naturalization. It would be of material assistance to the Agency if this section could be modified to include the spouses or children of such employees, together with the employees themselves, and if it could be further modified so that there is no specific identification of this Agency in the statute. The proposed new language might read:

"The granting of the benefits of subsection (b) of this section shall not relieve the petitioner from the requirement of physical presence within the United States for the period specified in subsection (a) of this section except in the case of those persons who are employed by, or under contract with, the Government of the United States abroad, or their spouses or children. The requirement in subsection (b) of this section of an uninterrupted period of at least one year of physical presence in the United States may be complied with by such persons or their spouses or children at any time prior to filing a petition for naturalization."

b. Section 223(b) currently provides that a re-entry permit shall be initially valid for a period of one year, and that the Attorney General may extend the validity for a period not

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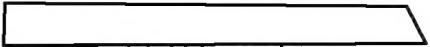
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SUBJECT: CIA Legislative Proposals - 85th Congress

exceeding one additional year. Two bills before the 84th Congress, S. 3168 and its companion bill, H.R. 9181, gave additional discretion to the Attorney General to extend indefinitely the validity of the permit of a spouse or child of a member of the Armed Forces of the United States stationed abroad pursuant to official orders. It would be of material assistance to this Agency and, one should think, to other United States Government departments and agencies having missions abroad, to broaden this discretion of the Attorney General to embrace extensions of the permits of persons employed abroad by the United States Government or spouses or children of such persons. The following language is proposed:

"Provided further, that the Attorney General may in his discretion extend the validity of the permit of a spouse or child of a member of the Armed Forces of the United States stationed abroad pursuant to official orders, or a person employed by, or under contract with, the Government of the United States abroad or a spouse or child of such person, for such period or periods as the Attorney General shall deem appropriate. The permit shall be in such form as shall be by regulations prescribed for the complete identification of the alien."

  
Screnfield Edwards  
Director of Security

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